



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2011 Assembly Bill 290

**The Bill, as Passed by the
Assembly**

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Assembly Bill 290, as passed by the Assembly (Assembly Amendment 1, as amended, adopted by the Assembly), relates to the manufacture of wine and fermented malt beverages (beer) that is not offered for sale, or homemade wine and beer.

Current law provides that no alcohol beverages license or permit is required if a person manufactures wine or beer at his or her home, farm, or place of residence if the wine or beer is to be consumed by that person or his or her family and guests, and if the person receives no compensation. Also, a person is not required to pay an occupational tax on wine or beer made at home solely for consumption at home by the person's family or guests, without compensation.

The bill, as passed by the Assembly (hereafter, "the bill"), creates two additional exceptions to requirements to hold a license or permit to manufacture wine or beer. Under the bill a license or permit is not required for:

- The manufacture of wine or beer by any person at a business primarily engaged in selling supplies and equipment for use by homebrewers or home winemakers, and the tasting at the business of the wine or beer so manufactured, if the wine or beer is not sold or offered for sale.
- The manufacture of wine or beer for educational purposes, and the tasting of the wine or beer at the place of manufacture, if the wine or beer is not sold or offered for sale.

The bill also provides that:

- A person is not required to pay an occupational tax on wine or beer manufactured under either of the provisions created by the bill.

- Wine or beer provided at a business primarily engaged in selling supplies and equipment for use by homebrewers or home winemakers for tasting may only be provided by a person who owns an operator's license (i.e., a bartender's license).
- The bill, if enacted into law, takes effect on the 30th day after the date of publication of the new law.

Legislative History

On October 25, 2011, the Assembly passed 2011 Assembly Bill 290, as amended by the Assembly, on a voice vote. The bill was immediately messaged to the Senate and is currently in the Senate Energy, Biotechnology, and Consumer Protection Committee.

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